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LAND AND WATER

Background paper number 1 /1989

Land's Day March

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Introduction

The land and the water in the occupied territories: far from being a "technical" or marginal subject in relation to the large political debate, these two factors take us to the very core of the Palestinian-Israeli conflict. To speak about the land and the water is to evoke their appropriation by the occupying power. What has been, in effect, after one century, the main aim of the original efforts of the Jews, and then of the State of Israel, but the taking over of a territory? The control of the Palestinians has not been the ultimate goal of Israel: contrary to the customary colonial pattern, the Hebrew State would accomplish the seizure upon a land that would be, one way or another, worn out of its inhabitants ...

An unfeasible dream, to be sure. And yet this Sionist dream brings us to admit the land's twofold connotation: being a strategic and economic factor, the land carries as well a huge symbolic meaning in this part of the world. For the Palestinians as well as for the Jews. The stony hills of West Bank, the small and arid strip of Gaza have been, for the Israelis Jews, "promises" in the sacred and millinery texts; dreamt about places over the centuries by their ancestors, who have lived thousands of kilometers away, in Europe or in America. For the Palestinian, conversely, it is the land that their ancestors cultivated and dwelt continuously after thousands of years. An unproductive and ungrateful land which is still much treasured; a land to which the Palestinian cling to with the energy of those who live in profound despair. An endurance for which a name have even been coined: ***sumud*** (to hold, do not give up, i.e. to resist to abandon the land). A political translation of the spontaneous attitude which has been adopted by ordinary people, the same people who strive to anchor themselves in spite of the effort undertaken by the occupying power to throw them out.

The political, economic, strategic or symbolic implications of Israel's appropriation of Palestinian land and water are therefore immense, and yet they are seldom highlighted. This cursory glance at the problem only intends to provide some reference points. Reference points which became essential in 1989, the very year when the emergence of a Palestinian State will cease being an utopian dream to enter into the realm of historical probabilities. This State will need land to receive its citizens, as well as water for their subsistence, in short a prosperous agriculture and export markets in order not to be economically strangled. In order to get there, it is especially important to overcome the undermining work which has been systematically carried out, over the past 22 years, by the State of Israel.

The land: Israel creates faits accomplis

According to the most moderated estimations, in 1987 36% of West Bank's and 28% of Gaza Strip's lands were under exclusive Israeli control, without taking into account partial restrictions which Palestinian owners currently face in the using of their land properties. The appropriation of the land by the occupying power is carried out through a profuse variety of legal tricks (Cf. appendix 1).

The Hebrew State's assertion, according to which the holding of the land is only temporary and therefore does not contradict the provisions of the international law, is contrary to what is shown by an analysis of the situation. The whole Israeli policy, which has been pursued since 1967, is intended to achieve one definite goal: the progressive taking of the land and the creation of accomplished facts. The military occupation has not been enough: it has been followed by the expropriation of some parts of the land, and then by the creation of civilian settlements, the genuine backbone of the Israeli policy that envisages the judaization of the land. The approved exorbitant investments provide the best evidence that this occupation is reckoned as an irreversible fact (Cf. appendix 2). Twenty years ago, with his usual frankness, Moshe Dayan had asserted it: the settlements should be as trees deeply rooted in the land, and not like flowers pots which could easily be removed.

The establishment of civilian settlements has not been the outcome of accidental planning either. Far from being restricted to certain zones of the occupied territories, the establishment of settlements follows a well-thought plan whereby the areas with heavy density of Arab population have been cross ruled. One may also say that the Jews settlers are place like pawns in order to obtain the geographic atomization of the Palestinian society, and to thwart its development. The second is particularly glaring in the outskirts of the main towns in West Bank, like in Nablus: the Jewish settlements form a sort of sanitary belt which encloses physically this town within its present limits, even when the Palestinian population experiences a demographic growth. Since the early 80's, a new strategy has been added to the one described above: the creation of settlements along the armistice's line (the Green Line) which is aimed at building a sort of "Jewish Wall" between the Arab population of Israel and that of the occupied territories (Cf. appendix 3).

The settlements' huge infrastructure is expected to receive sizeable populations in a long-term perspective, even if the flow allotted by the government has not taken place. Already in 1985, the Israeli researcher Meron Benvenisti estimated that the totality of the seized territory in West Bank could receive between 800,000 and 1 million settlers. Currently, this number is not higher than 75,000; it is worth saying that, even before the **Intifada**, it had become difficult to find convinced people ready to go there to defend, gun in hand, their "rights to the biblical Israel". The example of the Ariel settlement is striking: originally designed for 50,000 people, it counted with barely 4,500 inhabitants in 1987.

One can say that, willingly, the Hebrew State has created two radically different systems in the occupied territories, two systems which are geographically intersected but that do not communicate to each other. Two hostile worlds, whose living conditions reflect a gross inequality. The settlements are Israel's truly chosen: they live under Israel's laws, they enjoy the material prerogatives of the modern world (the State is prompt to every sacrifice for the sake of the settlers, who became privileged even vis-à-vis the Jews who live in Israel).

Beyond its ideological dimension, the settlements obey to two rationals: one strategic and one economic. Concerning the first one, the Israelis have always used the argument of their own security in order to validate the establishment of the settlements. The indisputable answer to this argument has since long been provided: How can a country guarantee its security by placing civilians, women and children in the first line? The real strategy is to occupy the places, i.e. a step by step *de facto* annexation which does not dare to tell its name in order to avoid lifting the shields of the international community.

Regarding the economic rationality, the occupying power has always avoided bringing up this question. And yet, it is indisputable. Now, nearly three quarters of the settlers are people who actually work in Israel and commute between their working place and their homes. In this respect, their settlements are immense dormitory towns whose function is to unblock Tel-Aviv and West Jerusalem. Thanks to magnanimous governmental subsidies, the Israelis can acquire cheap apartments there, maintaining a sense of safety due to their proximity to Israeli territory. The economic interest is likewise noticeable in the case of those agricultural or semi-agricultural settlements placed in the Jordan Valley: their location has been carefully chosen after aerial survey. Not to face the Jordanian army but because it is a matter of the more fertile lands: half of the farming land of the valley is presently exploited by Israelis. So much lost for the Palestinian peasants.

The looting of the water

In the Middle East, due to its shortage, water is one of the strategic resources in the same standing as oil. And, in case of armed conflicts, the strategic resources are seized by the stronger. This brutal truism is proved in the occupied territories as well.

Since the first months of its occupation, Israel limited the Palestinians' access to water, notably in West Bank. The Military Order no. 92 gathered all powers on water in the hands of an Israeli in charge, who has imposed the following restrictions:

- the prohibition to drill any new well without previous permission from the military authority; only a few permissions have been granted in 22 years, and only for those wells intended for domestic use (agriculture uses up a lot of water ...);

- the fixing of quotas for the pumping of wells' water and the setting up of meters to watch over any surpassing, which is charged with high fines;

- the expropriation of the wells which belong to absentee owners (those are refugees who flee in 1967 in front of the Israeli army; the same excuse has been used for the appropriation of land-properties).

In 1982 the hydrological system was totally integrated into the Israeli national water company **Mekorot**. Thus Israel has administratively taken the Palestinian's water, which is sparingly distributed --a behavior which makes one thinks of a *de facto* annexation.

For if the water is taken from some people, it is with the intention of giving it to other people. As a consequence of its Western consumer model, and mainly as a result of an overextended and expensive agriculture (the celebrated will of "making the desert flourish") the Hebrew State wastes huge amounts of water, a problem that has since long concerned the Israelis scientists. Hence the necessity to go and search elsewhere that which is not found in enough quantity within its own territory: before 1967, Israel pumped the West Bank's water along the armistice's line of 1949, with the help of deep drilled Artesian wells. After West Bank was conquered by the guns, the looting became much more simpler.

Presently, the sharing of water between the Israelis (settlers included) and the Palestinians, according to figures provided by Meron Benevisti, does not need any further remarks:

- the Palestinians consume less than the fifth of their own water (approximately 115 million of cubic meters in 1984 over a potential estimated at minimum 600 million of cubic meters), the leftover going to Israel and the populating settlements;

- one settler uses today some 90 cubic meters per year (for domestic use only), i.e. more than an average Western European, while Israel has magnanimously forecasted to increase the water quota granted to the Palestinian by ... 2010: their consumption will then reach some 60 cubic meters in the cities and 35 cubic meters in the countryside;

- according to the Israeli administration's plans, the almost one million West Bank's inhabitants will have available some 137 million of cubic meters per year in 1990 (for domestic and agricultural use), while the expected 100,000 settlers will have 100 million of cubic meters.

All this is reflected in caricatured situations, as that of the Argamon settlement, in the Jordan Valley, which has swimming pools while the Palestinian inhabitants of the nearby village of Zbeidat do not have enough water to cultivate. The inequality is not only related to the quantity, but to the quality of the water as well. The settlers drill their wells up to 800 meters deep and can therefore have fresh water. The Palestinian are prohibited to drill their wells beyond 120 meters; as a consequence, they get a brackish water which can not be used for some delicate plants like the banana, precisely those which have good marketing value. Moreover, the Palestinians blame some settlements for having emaciated, with their very deep-drilled wells, the sources of neighboring villages (as in Auja, in the Jordan Valley, thereby forcing the exodus of part of the population). One should further note that a

Palestinian pays **Mekorot** between two times (according to the Israeli Kahan) and five times (according to the Palestinian Awartani) higher than an Israeli.

To this apportionment, which evokes the **apartheid**, it should be added the fateful consequences on the environment caused by the Israeli's overexploitation of water resources (salinisation of water, a damage which could become irreparable if the present model of consumption continues unaltered).

Hence water can fairly be considered as one of the objective factors (beyond the ideology) which explains why Israel refuses to withdraw itself from the occupied territories. As Israelis officials have themselves confessed, one quarter of the water which reaches the Israelis kitchens and farms comes from West Bank. Are the Israelis willing to renounce to one out of four liters of water?

Still one word on Gaza: the problem is not presented in the same terms there, as the water resources, less important, have not awaken the occupants' appetite as in West Bank. Anyway, the consumption of water for agricultural purposes has been frozen at its 1967 level and the good quality water is reserved to the Israeli settlements (the problem of water salinisation in Gaza is particularly grave).

A strangled agricultural sector

Both land and water mean agriculture. This has been, traditionally, an important branch of the economy of the occupied territories, and will make up one of the main resources of the future Palestinian State. Agriculture employs around 24% of the manpower of the two territories, and it contributes 26% to its internal gross product (average over six years, 1980-86). But this sector which seemed to promise a prosper future before 1967, to which foreign experts still today attribute an important potential, is facing a serious recession in many levels. Just one figure, by way of example, will illustrate the situation: the export of agricultural products has decreased from 107 million in 1977 to 75 millions in 1986, a year which was exceedingly good for the harvests.

The Palestinian agriculture is therefore ailing. Quite a few explanations have been offered concerning this situation, but they can only be lightly touched upon here. The internal factors (parcelling out of lands as a consequence of inheritances, inequitable structure of property, exploitation of peasants by middlemen) and those which are linked to Jordan (important limitations to export to Amman, despite what is argued by the Jordanian propaganda) play role that should not be overlooked. However, it can be affirmed that most obstacles are linked to the Israeli occupation.

The monopolization by Israel of land and water resources is an important limitation in itself. Thus, in West Bank, only 6% of the farming land are irrigated (no more than in 1966) whereas irrigation is of utmost importance in this semi-arid region. The fact is that this surface could easily be multiplied by five or six and that would not even claim half the water which is currently diverted into Israel ... In other respects, it is calculated --at the lowest estimate-- that 10% of the farming land in West Bank has been lost since 1967: this is explained, on the one hand, by the appropriation of lands (particularly in the Jordan Valley), but also as a consequence of the proletarization of part of the peasantry, which has preferred to abandon the agricultural work, which became very unprofitable, to benefit of the non qualified and underpaid jobs in Israel.

As a consequence, the obstacles to the Palestinian agriculture is essentially a result of the conjugation of two factors. On the one hand, the lack of a political will towards development. In the absence of a State which would outline the major programs and would provide the needed economic motivations, the Palestinian peasant seems left to himself.

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CORRECTION A METTRE DANS LE DOCUMENT : "La Terre et l'Eau"

TO BE ATTACHED TO THE DOCUMENT : "Land and Water"

English version:

page 5 : line 7 to 4 from below sentence should read as follows :
"... producers of the occupied territories. Hereby the Palestinians were finally authorized to export their produce **directly** to EC markets without going through the two Israeli state monopoly companies AGREXCO or the CITRUS MARKETING BOARD, just indicating a given village or town as..."

Version française:

page 5 : ligne 6 à 3 en partant du bas doit être lu comme suit :
"... producteurs des territoires occupés. Au titre de cet accord les Palestiniens étaient enfin autorisés à exporter **directement** vers les marchés de la Communauté européenne, sans avoir à passer par l'intermédiaire des sociétés israéliennes Agrexco et Citrus Marketing Board, en indiquant comme lieu d'origine une ville..."

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Now, no modern State may suppose to have a competing agriculture without the support of the public powers (it is enough to consider Cyprus and Turkey, two poor countries but also two cases where the governments effectively encourage agricultural exports). The Palestinian peasants' attempts to organize themselves, notably through cooperatives, have been a failure due to the political pressure under which such organizations have functioned (both from Israelis and Jordanian sides).

The second factor consists of a series of actions taken by Israel since the beginning of the occupation, aimed at promoting the interests of its own peasants, ready to sacrifice those of the Palestinian peasants. To begin with, the occupant endeavoured to diminish, even to suppress, those crops which were competing with their own production (a very frequent case, as the climates of the regions are similar). Thus the Palestinian agriculture became, to a large extent, a complement to Israel's own agriculture, what represents a serious mortgage of the future national independence. On top of that, while the Palestinian production is sparing imported in Israel, this country has inundated the territories' markets with its products, at dumping prices (the Israeli agricultural production is heavily subsidized). The Palestinians are now used to consume milk and eggs from the **Tnuva**, an Israeli cooperative, which are less expensive than those produced locally. Thus in 1986, West Bank has exported agricultural goods worth 16 million to Israel, while importing 69,7 million worth from that country.

If it is true that marketing (and principally the exports) represents an important bottleneck, among other restricting factors, one can mention the lack of lending sources at low interest rates (all Arab banking firms have been closed since 1967 and, if the Cairo-Amman bank has been authorized to re-open its operations in 1986, it does grant small loans), the absence of agricultural research, the systematic objection against the creation of small foodstuff industries which could encourage production.

An example borrowed from the Jordan Valley could illustrate the above assertions. The high degree of water salinisation forced the peasants to turn down to tomato and egg-plant, both resistant to salt. Without proper planning, they all decided to grow the same vegetables, which are also cultivated in the Jordanian part of the valley. Being that Jordan is the only export market (Israel is a producer of these vegetables itself and therefore its market is closed), their prices collapsed at the same time in the markets of Amman. It had devastating consequences for the peasants of West Bank, who became more and more indebted each year. It is worth noticing that an interesting opening for the tomatoes could had been the production of tomato purée, very much used in local cuisine; but Israel systematically refused to grant the authorization for the creation of such industries.

Exports to Europe. Still a long way to go.

On October 27, 1986, the European Economic Community (EEC) unilaterally decided to grant a preferential tariff to the agricultural imports coming from the occupied territories (cf. our information paper number 2/1988). An important decision that Israel, for both political and economic reasons, made every effort to impede. After two years of strong opposition to the EEC within the Israeli government, an agreement was finally concluded on October 10, 1988, between the Israeli inter-governmental committee in charge of the issue and the Palestinian producers of the occupied territories. Once this agreement was concluded, the Palestinians were finally authorized to export through two Israeli societies, **Agrexco** and **Citrus Marketing Board** acting as intermediaries, indicating a given village or town as the place of origin of the products (Gaza, Jericho, etc.). The agreement also stipulates that, for all those products for which the Palestinian producers had subjected their plans of production in advance, the Civil Administration should provide them with the export licenses in a very brief time.

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Two days after the above agreement was concluded, the European Parliament sanctioned some additional conventions ruling the trade between Israel and the EEC (the European deputies had actually delayed their vote on these conventions, in order to further pressure the Hebrew State to honour its commitments and to authorize the concerned Palestinian inhabitants of the occupied territories to export directly). Thus since December, Gaza's grapefruits began leaving the Ashdod's harbor towards Rotterdam, very soon followed by a cargo of egg-plants harvested in the Jordan Valley.

However, one should restrain from announcing victory, or from believing that a vast market has finally been opened in Europe for the Palestinian agricultural production. As a matter of fact, the five months passed since the conclusion of the agreement have unfortunately confirmed the fears which were already revealed in our information document number 2.

First of all, one has the impression that Israel has awarded a sort of export monopoly to a well defined category of Palestinians: those who signed the October 10, 1988 document, are in fact the big landowners or the important tradesman who, in Gaza as well as in West Bank, were politically distinguished as pro-Jordan people (at least before the breach of administrative links announced by King Hussein), and indeed suspected of collaboration. It must be admitted that only the big producers have the strength to run the financial risks which are inherent to international exports, and that only this category benefits from the required technical know-how. Nevertheless, it is in order to regret that the immense majority of the Palestinian producers were left out of this agreement.

The second fear was often expressed by the Palestinian themselves: that once a deceptive support was given to the agreement, Israel would endeavour to sabotage the exports through concealed and indirect means. The Hebrew State has all the necessary means at its disposal, as long as it militarily controls the occupied territories as well as the gateways through which exports pass. At the end of January it was established that most of the 40 tons of West Bank grapefruits which arrive in Marseille were spoiled ... as the freezer in the ship had been adjusted at a too low temperature. It is impossible to corroborate that the incident was intentionally caused, but there are legitimate reasons to suspect that this was the case (Cf appendix 5).

Ultimately, and this is perhaps the most important element, the attempts to export towards Europe have shown, in a flagrant way, the critical absence of a sound marketing infrastructure which affect both West Bank and Gaza, economically left to themselves, as we have highlighted above. Be it in terms of stockpile, transport (the lack of trucks is chronic), packaging, quality control or financial support from a central body (necessary to assure competing prices), both territories are seriously disabled. The political will of the European Commission or of the Parliament in Strasbourg is not enough to tackle these problems. A sizeable technical assistance, towards which the Twelve seem to be moving now, is especially needed. The NGOs which are active in the field could also play an important supportive role, even if the real solution can only be attained when the Palestinians themselves become the masters of their own future, within the framework of an effective state machine.

The NGOs involved in agricultural work: facing numerous obstacles

Most NGOs which are working in the occupied territories have traditionally addressed their efforts toward issues like public health, education, humanitarian aid, indeed infrastructural work. The same observation is valid concerning the aid coming from other sources, like some European governments, several United Nations agencies or the Jordan-Palestinian Committee. It is not our intention to discuss the reasons behind this situation; it is enough to state here that the Palestinian researchers have long since regretted that so little

money is directed towards economically productive sectors, what could actually enlarge and enhance the independence of the local population.

On the other hand, those NGOs and other agencies which are active in economic production in general and in agricultural production in particular, are more systematically opposed by the Israeli veto (all projects should be submitted to the Civil Administration in a detailed way; the Administration approves or rejects them). A study carried out in 1984 by Meron Benvenisti on six USA NGOs (funded by Washington) clearly showed that the ratio of approval is directly related to the nature of the project. Thus, 81% of projects related to the highway infrastructure were approved during the 1977-83 period; conversely, when you consider the agricultural sector, only 40% of the projects were accepted.

The explanation is easy enough: each investment in the infrastructure releases the occupying power from the fulfillment of its duties in this particular sector and thereby eases its financial burden in the occupied territories. Conversely, to encourage the rise of industry or agriculture means to enhance local self-reliance and hence to diminish the Israeli control; on top of that, depending on the concerned sectors, it could also represent a competition to Israeli's production. Thus, for instance, all those projects aimed at recovering the wasted lands run against a systematic veto: in effect, it is much easier to seize the uncultivated lands by declaring them "State lands", than to expropriate cultivated plots. Those bodies which try to establish small foodstuff industries face enormous difficulties as well, particularly those projects aimed at creating dairy industries or poultry farms: this is not totally unforeseen as it is known that the occupied territories provide an important market for these products to the Israeli State cooperatives.

This situation has very harmful effects upon the work of the NGOs. In the worst cases, some NGOs renounce certain types of project in advance, knowing that they do not have any chance of getting the approval. More often, they give precedence to small projects which have better chance of passing unnoticed. Besides that, the NGOs which are engaged in the agricultural sector have renounced coordinating their efforts towards a definite activity, based upon the assumption that it is easier for the Civil Administration to choke a big centralized project than the small atomized activities.

The land in the time of the Intifada: destruction and essays of self-reliance.

Since the beginning of the occupation, the destruction of crops and trees has been the daily fate of the Palestinian peasant. This is a mixture, as is always the case with Israel, of a cold mind and the irrational; of a destructive hate against those things which eloquently prove the Palestinian bonds with their land, and of a deliberate will to drive them from their country. To this twofold "rationale" also correspond the punitive actions undertaken at any time against those families which are termed as "guilty" of confronting the occupant: destruction of houses, rooting up of trees and burning of crops. At the same time, the inhabitants of the occupied territories have instinctively developed a strategy of passive opposition, which has mainly consisted of planting thousands of olive trees hoping that Israel would experience some restraint in taking a land which is not bare. A pathetic attempt, at times laughable, in front of the army's bulldozers; an attempt to halt the wearing down of their land and to block the advance of the settlements.

Nevertheless, since the beginning of the **Intifada**, the army and the settlers have unleashed a wicked violence. According to data gathered by the Data Base Project on Palestinian Human rights, 18,000 olive and fruit trees have been uprooted in 1987. But from December 8, 1987 to December 8, 1988, this figure explodes as over 100,000 trees suffered the same fate, to which would be needed to add hundred of thousands of plants. It is enough that some children throw a Molotov cocktail, or even a few stones from an orchard, and it will

be immediately shaven. Not even agricultural equipment, goats and chickens have escaped the destructive hatred of soldiers and settlers (Cf. appendix 6).

The situation is worsened by the countless curfews and all sort of interdictions intended to prevent the peasants from farming their lands and from looking after their livestock. Since December 1987, the Palestinian press has alluded to hundred of cases like those. Furthermore, in numerous cases, the towns and villages have been prohibited, by way of collective punishment, to trade their products on the local market, or to export them to Jordan. The Jerusalem Media and Communication Center has estimated at 2,38 millions of Jordan dinars the losses suffered by the Palestinian between January and October, 1988, within the agricultural sector alone.

There is still another serious problem that the Palestinian producers must tackle hereafter, and which is not linked to Israel: the increasing difficulty to export to Jordan, a country that had traditionally been a vital marketing opening for the territories. After the breach of administrative links announced by King Hussein last July, the import policy of the Hachemite kingdom, which was already rather constrained, experienced further restrictions: Jordan having explicitly acknowledged that, from now onwards, it will not accept Palestinian goods except those required to meet Jordan's own needs. In doing this, King Hussein was pleasing his own producers (numerous members of the government are big landowners) who had not ceased complaining over the years about the Palestinian competition, chiefly that crops from the West Bank were essentially the same as those grown in Jordan.

A final word to refer to a highly symbolic aspect of the **Intifada**, which perhaps gives witness to one of the most essential experiences of this uprising. We would like to speak of the awakening of a mighty willpower, that of "counting upon their own forces"; at the same time, the Palestinians are now aware to what extent they became economically dependent upon Israel during the occupation years. This has been translated into a number of actions which have a limited practical achievement and yet a powerful political meaning: boycott of Israeli products, systematic purchasing of Palestinian properties, often neglected in the past. In the agricultural sector, it is worth mentioning those actions whose originality drew the attention of the foreign press: the "return to the land" of the city dwellers, of intellectuals and even of old proletarized peasants, who have returned to raising chicken and growing vegetables. Of course that is not enough to lay the bases for a modern State; but it would be foolish not to recognize or to underestimate the power of the symbols. The Israelis have not been foolish, because they follow and scrutinize this type of activity with unremitting apprehension. To farm the land to nurture their children rather than allowing them to go away from their native Palestine, that is maybe the most subversive action that a Palestinian can undertake (Cf. appendix 7).

Document prepared by Mrs Iolanda Jaquemet, historian and journalist in the "Journal de Genève", and Mr Stéphane Jaquemet, lawyer.

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USEFUL PUBLICATION :

- **"Israel's Policy on the West Bank. Water Resources"**. This study was prepared and conducted by the U.N. Committee on the Exercise of the Inalienable Rights of the Palestinian People (United Nations, New York, 1980).
This publication analyzes the Israeli policy on the water resources of the West Bank: utilization, restrictions imposed to the Palestinians, effects on the economy. It also includes information on sources of water, existing wells and water distribution.

RECENT PUBLICATION :

- **"West Bank and Gaza Palestinian Exports to the European Economic Community"**, in English, by Charlotte Prins and Paul Helbing (Amsterdam, October 1988).
This report, which tackles the issue of the exports of the Palestinian agriculture products to the EEC, was prepared on April-May 1988. This work consists of 24 pages, plus a bibliography and a list of persons contacted during the survey. It contains very practical and useful information on the agriculture in the occupied territories as well as the rules of the EEC concerning export-import policies and its consequences for the Palestinian farmers. The conclusions and recommendations of the report underline the need to ensure that exports benefit all Palestinian farmers and not only the major ones.
Those interested in receiving this report should contact ICCP.

- **"The occupation is over: Creating a theological framework for peace in the Middle East"** by Marc H. Ellis, Director, Institute for Justice and Peace, Maryknoll School of Theology (Lecture given at the Garret Evangelical Theological Seminary on May 21, 1988). (23 pages in English, and 2 pages of notes).
Although it was written before the decisions of the PNC in Alger and the latest diplomatic developments of the Palestine-Israeli conflict, it remains a text of entire actuality. This is an analysis on the Israeli society and the challenge that if faces as a consequence of its relationship with the Palestinian people. The text addresses the question of how the Jewish people will be able to transcend a theology of the holocaust to enter into a new theological reflection which is in harmony with the history that is being created and the history that the Jews people would like to bequeath to its children. The author ventures that an essential integration of Jews and Palestinians in all dimensions of political, cultural and religious life is at the very heart of the Jews future. (We will include quotations from this text in the next number of our newsletter).

USEFUL NGOs CONTACT ADDRESSES

The Palestinian Agricultural Committee (PARC): (P.O. Box 19369, East Jerusalem) assures a work of popularization and of research; organizes campaigns against plantation maladies; promotes the distribution of herbs, of grains as well as of pasture at very moderate prices; contributes to the formation in the field of staff who have been trained abroad. (See CEDRI's publication: BP 42, 04300 Forcalquier, France. "The work of the Supporting Committee for Palestinian agriculture", texts in English and French.

Arab Thought Forum : (P.O. Box 19012, East Jerusalem) has a research and study center on economic and social issues. A study has been published on the issue of water (in Arabic) in March, 1988. This study deals especially with this issue within the framework of Palestine historical boundaries. Furthermore, Arab Thought Forum has carried out two researches: one on the effect of the Israeli policy concerning drinking water and general health in the occupied territories. The other on the practical and social consequences of water distribution from the Aïn El Sultan source in the village of Jericho.

The Galilee Society for Health Research and Services: (P.O. Box 1106, Acre, Israel) undertakes studies and drafts projects for the villages of Galilee. This society aims at improving the health conditions through preventive policies, and it is also engaged in the safeguard of the environment.

Committee for the Defense of Arab Land: (PO Box 406, Nazareth, Israel).

Association for the Support and Defense of Bedouin's Rights : (PO Box 5212, Beersheva, Israel).

ANNEXE 1 :

Excerpts from " The West Bank Handbook"

Meron Benvenisti (Jerusalem 1986)

In the area of the West Bank about 430,000 dunams of land were identified after the Six Day War as abandoned property, including 54,000 dunams which were declared abandoned after they were registered as state land. (see below). About 70,000 dunams are arable (some were leased to the families of the absentee owners and some were leased to Jewish settlers), and another 12,000 dunams were transferred to the possession of relatives of the absentees. In addition, there are about 1,000 dunams of urban property which were transferred to relatives of the absentees. The Custodian of Abandoned Property also administers property which had been held by the Jordanian Custodian of Enemy Property (mostly Jewish lands purchased before 1948). The Jewish lands came to about 33,000 dunams, with 80 structures.

B. Government Lands

In the Jordanian land registry, 527,000 dunams were registered in the name of the Government of Jordan. In addition, there are about 160,000 dunams of land were added to these, land which could be viewed as state land according to old archives. By 1973 official Israeli publications indicated that the area of state lands was about 700,000 dunams, of which more than 600,000 dunams were located in Judea and Samaria (21.6% of the area of Judea and Samaria). Some 50,000 dunams of state lands are in the Jordan Valley and the eastern slopes of the mountains of Judea and Samaria (the districts of Jericho, Ramallah, Nablus, and Jenin), as well as the stony hills in Western Judea and Samaria.

C. The Declaration of State Lands

In 1980 the Israeli government adopted a new legal approach to state lands (as opposed to registered government land). The Land (Acquisition for Public Purposes) Ordinance (Order) 59, 1967) to declare uncultivated, unregistered land as state lands. That was on the basis of the Israeli interpretation of the Ottoman Land Law of 1855. According to that law (par. 103), "Vacant land which is not in possession of anyone by title deed or customary right and which is not necessary as a threshing floor or village and lies at such a distance from towns and villages from which a human voice cannot be heard at the nearest inhabited place, such as rocky mountains, wild fields, and bushland is called *mawat* (dead). Anyone who is in need may cultivate it as long as he does not cause damage or injury and does not belong to the sultan and that all the laws concerning cultivated lands shall apply to this land."

Paragraph 103 of the Ottoman Land Law speaks of *mawat* lands. However, *mort* (dead land) (as which the abstract right of ownership is

INTERFERENCE WITH PRIVATE LAND OWNERSHIP

This can be subsumed under the following categories.

I. Expropriation of Ownership

II. Seizure of Possession

III. Restriction on Use

I. Expropriation

A. Absentee Owned Lands

In accordance with the 1967 Order Concerning Abandoned Property (Judea and Samaria), the term "absentee property" includes land, movable property and other economic interests. Ignorance of the identity of the owner or tenant of the property does not prevent it from being considered abandoned property. The Order Concerning Abandoned Private Property (150) adds directives, stating, among other things, that property belonging to a corporation controlled by people who are not present in the region is to be considered as though it were abandoned. Property belonging to a resident of an enemy country who is not in the region is also considered abandoned. The burden of proof of ownership or tenancy of the property lies upon the person claiming rights.

reserved to the sultan) are also liable to be declared state lands according to the Israeli interpretation of the law. In that case, though, the test is whether they were cultivated during the past 10 years. Thus, according to that test, any unregistered and uncultivated land on the West Bank may become state land, unless someone can prove ownership in a matter satisfactory to the special adviser to the Ministry of Justice and the REVIEW BOARD composed of administration officials. It must be pointed out that the Israeli definition of state lands was not used by the Jordanian government in whose name, ostensibly, the land was seized. Moreover, the declarations are not made in an orderly, judicial process of land registration, but they preempt it. They could not have been carried out if Israel had continued the process of land registration which had been interrupted in 1968 (Order 291).

According to the double test of registration and cultivation, 2,150,000 dunams of land on the West Bank (some 40 percent of the total area) were located and mapped. That area also includes government lands (See above), which means that the new legal approach located an additional million-and-a-half dunams of land which can be declared state land. Of this, by mid-1984, some 800,000 dunams had been declared, bringing the total lands declared and seized to 1,800,000 dunams. Tens of thousands of dunams are in the process of being so declared. Once sufficient land for unlimited Jewish settlement was assured, the pace of declaration slowed, nonetheless it continues unabated. As noted, until 1980 the government did not view uncultivated lands of the *mawat* and *miri* categories as government lands, since it continued Jordanian practice. With the proliferation of declarations, a judicial problem arose, as the custodian had been appointed to administer only "government property," as understood in June 1967, and not "state property," as subsequently declared. To remove that difficulty Order 1091 was published. That order changed the wording and declared that not only land which was registered in the name of the enemy state on the determining day (June 7, 1967) but also that which was registered **after that day**, would be administered by the custodian.

D. Land Expropriation for Public Use

Land expropriation (or, in legal language, "purchase") is carried out according to Jordanian law (Land Law – Purchase for Public Use, No. 2, 1953) as amended by Military Orders 321 and 949. Jordanian law created and supervised multi-staged processes for expropriation for public use. Israeli military orders transferred the authorities of the Jordanian council of ministers and the king to an authorized body (the assistant head of the CIVILIAN ADMINISTRATION) and, above it, as the "authorizing

body," the regional commander (later the head of the civilian administration). Thus the structure of checks and balances existing in Jordanian law (pars. 5, 6, 8, and 9) was removed. Moreover, the administration makes constant use of par. 12, according to which the council of ministers (namely the assistant head of the civilian administration) is entitled to decide upon "immediate purchase and possession" without being limited by the processes of negotiation, judicial process, or appeal, if it is "convinced that there are reasons obligating immediate possession of the lands."

The orders of the administration did away with the need to publish the proposed seizure in the official gazette and to notify the owners of the property through the registry clerk. It was not until 1981, when the Arab residents of the West Bank appealed to the HIGH COURT OF JUSTICE, arguing, among other things, that they were not notified of the condemnation, that the administration published Order 949, determining that notification of land condemnation would be published in the "collected proclamations" of the administration and given to the owners through the registry clerk and the MUKHTARS. Jordanian law states explicitly that expropriation must be for the public benefit, for example for roads. Thus the administration may not use it as a method for the establishment of Israeli settlements. However, it is able to make extensive use of it for expropriating lands for access roads, public institutions and particularly for a network of arterial highways planned and paved for the expansion and proliferation of Jewish settlements. Arab settlements were purposely bypassed (See ROADS). The use of land expropriation is closely connected to the structure of physical planning and zoning (see below). Any land which, in the statutory zoning plan, is destined for public use, can be expropriated according to law.

The lands expropriated and those of which immediate possession has been taken, amount to approximately 50,000 dunams; in addition, about 100,000 dunams are designated for expropriation.

II Seizure of possession

A. Closed Areas

By virtue of Article 90 of Order Concerning Security Regulations (378, 1970, previously Article 70, 1967), a "military commander" (not necessarily the regional commander but any officer) is empowered to proclaim an area or place a closed area for the purposes of the above order. Any person entering or leaving a closed area or place without written permission of the military commander is committing a crime. The declaration is made by written order with an attached map of the area, however it can also be so declared by an oral order. In early 1985, 23

closure orders were in effect, encompassing about one million dunams. Most of the closed areas are also state lands and are used as military training areas, but about 80,000 dunams were closed within populated areas as a first step towards their seizure (see below) and the establishment of Jewish settlements, for example, the Latrun zone and Ma'aleh Adumim. Most of the closed areas were also declared "combat zones" (see below). Ownership of closed areas remains in the hands of the residents, but they are deprived of use of the land without any compensation or payment, excepting the option of applying to the REVIEW BOARDS.

B. Requisition for Military Purposes

The regional commander, "on the basis of his authority, and in that he is convinced that it is necessary for military purposes," promulgated several dozen orders for the requisition of property from 1968 until 1979, encompassing about 50,000 dunams. The authority of the regional commander is based on HAGUE REGULATIONS No. 52 (1907). Requisition orders, unlike closed areas, stipulate that the owners or tenants of the land are entitled to demand payment for use and compensation for any real damage caused by the requisition. Requisition does not cancel rights of ownership, only the rights of possession and use.

The requisition of property for immediate military purposes was the principal method by which private property was seized between 1968 and 1979 for the purpose of establishing Israeli settlements. In that the seizures were anchored in the Hague Regulations, which state that they are permissible only for military purposes, it was claimed that the establishment of Israeli civilian settlements was inconsistent with the regulations.

The HIGH COURT OF JUSTICE accepted the position of the military government and ruled that "Israeli settlements in the territories occupied by the IDF are part of the territorial defense system, and therefore Jewish settlement serves a defense need *par excellence*." It was also argued that the establishment of permanent settlements violates the rule that requisition must be temporary, until the end of the state of war. Here too the High Court accepted the military government position that, although a civilian settlement may remain in place only so long as the IDF holds it by virtue of the requisition order, the fate of the settlement will be determined in international negotiations leading to a new arrangement. The use of requisition orders to establish Israeli settlements suited the political conception of the ALIGNMENT (1968-1977), but not that of the LIKUD (1977-1984). The latter could not use the requisition method since it implied the temporary nature of Israeli presence. Therefore,

when the area of ELON MOREH was seized, the representatives of the military administration did not conceal their main intention, which was to establish a permanent settlement there. For that reason alone, the seizure was revoked by the High Court. At the same time the use of requisition orders to seize property ceased and was replaced by the method of declarations of state lands (see above).

It should be pointed out that according to the 1982 Order Concerning Work on Requisitioned Areas (977), all excavation, construction or use is forbidden without a permit. That order does not apply to an agency of the IDF or one acting under the orders of IDF forces. The Israeli settlements on the requisitioned lands were erected on the basis of that order.

III. Restriction of Use

A. Prohibition of Building and Construction

By virtue of Order 393, 1970, on the supervision of building in Judea and Samaria, any military commander (not necessarily the area commander) may prohibit construction or order a halt in construction or impose conditions on construction if he believes it necessary for the security of the Israeli army in the area or to ensure public order. Orders prohibiting building were issued regarding areas around IDF camps and installations, around Israeli settlements and around whole settlement areas (Gush Etzion, Givat Ze'ev), similarly in a 200-meter strip along both sides of main roads. Orders were also imposed on built-up areas of Arab municipalities when the authorities wished to curb building expansion. Prohibition of building can also be effected by designating margins of 100-150 meters on either side of a planned road in the statutory plan. In the outline scheme for the Jerusalem metropolitan area (see below), margins of that sort were actually stipulated, limiting the use of tens of thousands of dunams of land. The total area around Israeli sites affected by prohibition orders amounts to 293,500 dunams. With "road margin" regulations, the total area affected is 580,000 dunams.

B. Restrictions Based on the Statutory Zoning Plan (See PHYSICAL PLANNING)

Changes made by the military administration in the zoning ordinances applying to the territories (Mandatory plans in the open areas and Jordanian plans in the cities) set severe limits on the use of land.

Although no statutory plan prepared by the administration has received legal force, the administration planners act as though their plans have been approved. In that context it should be noted that in 1985 the physical planning unit (serving the "supreme planning council") which

had been subordinate to the STAFF OFFICER for interior affairs in the civilian administration, was transferred to the responsibility of the infrastructure branch, responsible, among other things, for the seizure and expropriation of property. That administrative change makes the goals of the administration's physical planning quite manifest.

It should be pointed out that the supreme planning council has the authority to decide which lands are destined for expropriation and to request their purchase according to par. 56 of the Jordanian Land Law (See above). Whereas the supreme planning council is an institution whose members belong to the administration, the expropriation is initiated, deliberated upon, and approved by the same body. The district commander does not view himself as limited by statutory plans. He issues building regulations which purport to be based on the Jordanian Planning Law (for example, Order 912, as well as the regulations on building height in Ramallah).

C. **The Prohibition on Rebuilding Demolished Houses**

According to the 1972 order prohibiting building (456), no building or part of a building may be built on land on which there had been a building which had been confiscated and razed according to an order issued by the military commander on his authority according to regulation 119 of the EMERGENCY REGULATIONS (1945), except with the authorization of the district commander. That order has retroactive application and it is meant to ensure that buildings demolished as punishment will not be rebuilt.

D. **Combat Zones**

Combat zones or fire zones are areas regarding which the administration is not responsible for damage incurred by military action. An order regarding liability (271, 1968) states that a resident who claims to have suffered damage as a result of the actions of IDF soldiers, of a force acting in coordination with the IDF, or a citizen working for the IDF, and who is entitled to compensation for that damage, may demand compensation from the staff officer in charge of claims. However, section 2c of that order states: "No claim may be made, and none will be considered, and no compensation will be paid for damage incurred in an area declared by the district commander as a combat zone." The combat zone was declared in Order 270/1 and an attached map. The area defined as a combat zone extends over about a million dunams in the eastern part of the West Bank (the Jordan Valley and the western slopes), as well as other areas. The combat zones are largely co-extensive with the closed areas. It should be pointed out that the specific combat zones have lost all

significance in terms of claims for damages. In the order regarding claims (Amendment 4, 1984), the reservation disclaiming liability for damage caused in an area declared as a combat zone was rescinded. According to that amendment, no compensation at all will be paid, throughout the West Bank, if the commander of the IDF forces in the area declares that the damage resulted from military activity. Thus, for the purposes of claiming compensation for damage, the entire West Bank has become a combat zone.

While no change has been made in private property rights in the combat zones, clearly no one would consider remaining in a fire zone, and consequently no use can be made of the land.

E. **Nature Reserves**

The Order Concerning the Protection of Nature (363, 1969) imposes severe restrictions on construction and land use in areas declared as nature reserves. The registrar of lands attaches a "warning notice" to the lands in the registry, thus diminishing the value of the land. No compensation for damages is specified. Although declaration of a nature reserve is aimed at protecting the environment, it is considered by the authorities as an integral part of the land seizure program. As of mid-1985 the authorities have declared 250,000 dunams nature reserves. An additional 90,000 have yet to be declared. (See PARKS AND NATURE RESERVES).

F. **Restrictions on Cultivation**

According to the Order Concerning Supervision of Fruit Trees and Vegetables (1015, 1982), no fruit tree may be planted in an orchard without written permission issued by the authorities. The authorities are empowered to impose conditions for issuing permits. The prohibition applies to the planting of vegetables in the Jordan Valley (eggplants and tomatoes) and to plum trees and grapevines throughout the West Bank. Order 818 (1980) states that the officer responsible shall set quotas for the planting of ornamental shrubs. These orders were issued in order to plan agricultural production, but the officer responsible uses them for other purposes as well. One of the conditions for receiving permission to plant is producing documentary proof of ownership of the land to be cultivated. That measure is intended to prevent the cultivation of lands which the government claims for itself as unregistered, uncultivated land.

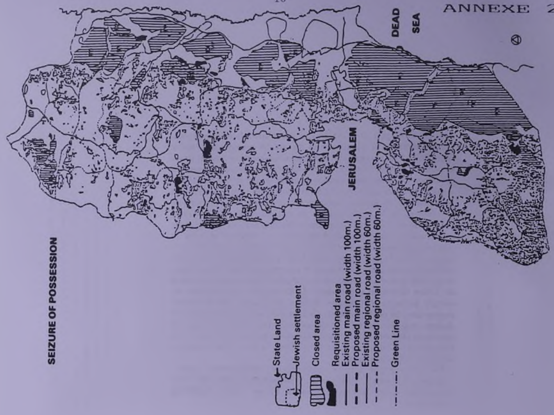
Summary

The judicial and administrative structure described above assured Israeli control over 52 percent of the area of the West Bank. Some 2,268,500

dunams, or 41 percent of the area, is under direct Israeli possession. 570,000 dunams, or 11 percent of the area is placed under severe restrictions. Private land was expropriated for military purposes and settlement. Moreover, severe limitations were imposed on the use and development of the lands remaining in the hands of the Palestinian population. Although the system for controlling the land is made up of a great number of juridical components, it is viewed by the military government as a single body of rules which can be changed by the issuing of new orders by the military commander. Although the rule of law is preserved and the use of various judicial means merely suits the convenience of the administration, and the needs of the settlers. Land seized by order for military purposes is converted into state land by another order. "Closed" areas are turned into "state lands" by another order. The Israeli courts refuse to review legislation which authorizes the declaration of closed areas and upon which construction is forbidden. For example, the area of the Shiloh settlement is composed of 740 dunams "requisitioned" for military purposes, 850 dunams declared state lands and 41 dunams expropriated for private Jewish use. Another settlement, Ofra, contains 200 dunams of expropriated land, and 140 dunams declared state lands. The built-up area of Ofra is surrounded by an area of about 1,000 dunams in which building is forbidden.

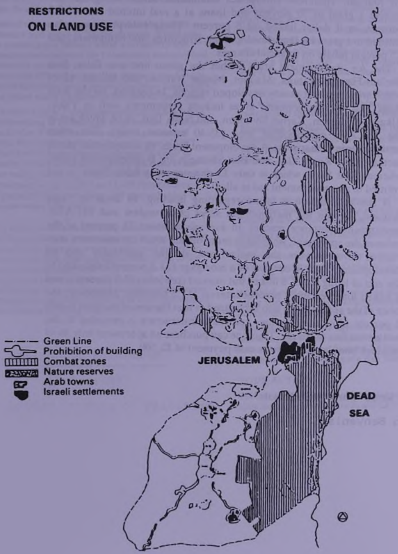
The Gush Etzion area is composed of "Jewish-owned lands," "expropriated lands," "closed areas," "requisitioned lands" and "state lands." The entire bloc is surrounded by an "order forbidding construction."

SEIZURE OF POSSESSION



Landscape Zones and Place Names

RESTRICTIONS ON LAND USE



ANNEXE 3 :

INCENTIVES FOR SETTLEMENT

The West Bank is regarded by the government as an A+ or A development region for investment in industrial enterprises and facilities for tourism. Therefore enterprises established across the green line receive a grant of 30 percent and loans at a real interest rate of 0.5 percent, or if dollar linked, at 6 percent. These enterprises are also entitled to a grant for land development, structures, and equipment, and a 5 percent rebate on financial charges.

The A+ development areas within the green line are: Eilat, Beit She'an, Hatzor, Metulla, Ma'alot, Mitspe Ramon, and Shlomi, all of which are in remote, poorly developed regions. In contrast, on the West Bank, the A+ development areas include settlements such as Yakir, Elkana, Kedumim, Karnei Shomron, and Neve Tsuf, all of which are in the Tel Aviv metropolitan area (35-40 minutes away). The other settlements in Samaria are A development areas. In comparison, places such as Acre, Kiryat Gat, and Beit Shemesh are B development areas, whereas Kfar Sava, which is only 15 minutes away from Yakir, is not entitled to any government aid at all.

A similar situation is found regarding housing. In areas of "high demand," within the metropolitan areas of Jerusalem and Tel Aviv, government assistance reaches an average of about 75 percent of the value of the apartment, whereas in more distant areas the assistance in its various forms covers the entire cost of the apartment and its development. The aid consists of a mortgage (11.5 percent) unlinked to the cost of living index, a linked but interest free loan (65.5 percent), and a linked loan bearing 6 percent interest (11.5 percent). Moreover, the price of the apartment is also subsidized in that the cost of the land is only 5 percent of its actual value, and the infrastructure is provided to the settlement free of charge. Thus one can purchase an apartment only 30-45 minutes from Jerusalem for a cash payment of $2,500.

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"The West Bank Handbook"

Meron Benvenisti.

ANNEXE 4 :

● ACTION ● ACTION ● ACTION

Dig a Well for Palestine

London Friends of Palestine is asking its supporters to dig deep – into their pockets. We are launching a fund to support agricultural development in the West Bank and Gaza.

Control of water resources is vital to the Israeli economy and hence to Zionist strategy. Every year, the growing gap beween water availability and consumption weakens the Palestinian economy and draws the occupied territories further into the structures of Israel proper. It is precisely the drive to exploit the water tables beyond the Green Line which has forced many Palestinian farmers off their land.

The drying up of Palestinian agriculture has led to the blooming of Palestinian wage labour. Al Ouja in the Jordan Valley was once a major producer of citrus fruit and vegetables. After the war of 1967, Israel drilled three new wells to supply water to nearby Jewish settlements. Being too close to the new wells, the spring which had served Palestinian farmers dried up in 1970 and 1500 Palestinians migrated from their village. 500 stayed behind to become wage labourers.

This threat now faces the Gaza strip where nearly half the population is dependent on the production of citrus fruits. Here the water is salty and subject to frequent cut-offs, creating added difficulties to the competition already faced from the high-tech greenhouse product of neighbouring Jewish settlements. A new military order demands a license to pump and use water in the Gaza strip, but despite this, Gazans have dug nearly 2,000 wells.

Since the occupation, Palestinian pumps and wells have been systematically destroyed. Farmers face fines for excess consumption (determined by a meter) and cash inducements are offered for the uprooting of fruit trees, since this will supposedly conserve water! While the West Bank supplies approximately 30 per cent of Israel's water, the annual water consumption of an Israeli citizen is nearly five times greater than that of a West Banker. Twelve irrigation wells have run dry on the West Bank since 1967 and will not be replaced. At the same time, Israeli settlements have drilled at least seventeen wells there. Despite the UN's declaration in 1977 that Israeli control of water resources in the West Bank and Gaza is illegal:

Ramallah has been forced to have its water supply connected to the Israeli network since its drinking wells dried up and permits for new drilling were refused.

Qalqilya residents have complained without success that their water pipes are too narrow and the pressure is insufficient for high-rise dwellings.

Hebron and its industries are serviced by two water stations. The Israeli controlled station diverts 5,000 cubic metres of water per day away from the Palestinian municipality's station, to meet the needs of 20,000 Jewish settlers.

At **Khirbet Ras Tirbeh** residents dug a trench using buckets and rope rather than pay the 600 Jordanian dinars to dig a well.

Water is crucial to the agricultural development needed by the Palestinians if they are to realise any form of independence. Support LFP's development fund and water the seeds of a free Palestine!

YOUR ACTION

Contact LFP for details of fund-raising activities. Look out for opportunities to sell LFP merchandise.

Action for Palestine

(Oct. 1988)

London Friends of Palestine

EC pact on Palestinian farm produce in trouble

By Andrew Whitley in Jerusalem

A LANDMARK agreement made between Israel and the European Community – permitting the direct export of Palestinian farm produce to Western Europe – is in chaos.

This follows the near total failure of the first shipments from the occupied territories last month.

After many months of painstaking diplomatic work, the breakdown of marketing arrangements sponsored by the European Commission has angered Palestinian exporters, embarrassed Brussels officials and, privately, delighted the Israeli government.

Israel fought hard to prevent West Bank and Gazan exporters being able to market their produce abroad on equal terms to protected Israeli farmers.

In retaliation, the Community blocked a package of trade and finance protocols benefiting Israel, for two years.

Only in October did the European Parliament finally approve the protocols, after the Government of Mr Yitzhak Shamir reluctantly conceded that, starting this winter season, Palestinian farmers could export their goods to Europe without hindrance, through Israeli ports.

Apart from a small quantity of aubergines and green peppers enjoyed by customers in the south of France, none of the farm produce from the Israeli-occupied territories has yet been sold.

The problems that have arisen centre on T Port, a large fruit and vegetable wholesaler with offices in Rotterdam, Hamburg and London.

With the encouragement of Brussels, this company contracted with Gazan citrus producers to market a total of 16,000 tonnes of grapefruit and oranges between December and April.

The first shipment of 1,100 tonnes of first-grade grapefruit left the Israeli port of Ashdod at the beginning of December, bound for Rotterdam.

There it has stayed, building up warehouse storage charges for the increasingly desperate exporters.

Citrus is a mainstay of the impoverished Gazan economy. The exporters' association in Gaza claims it was misled into believing it was obliged to ship all produce through the Rotterdam-based concern.

Although the Commission financed the trade missions, it was the Dutch Government which took the lead in arranging for experts – one of whom was seconded from the company itself – to advise the Gazans on selling in the highly competitive European market against Agrexco, the well-established Israeli agricultural state body.

After months of painstaking diplomatic work, a breakdown of marketing arrangements sponsored by the European Commission has angered Palestinian exporters, embarrassed Brussels officials, and privately, delighted the Israeli government

Some 10 days ago, the Gazan exporters sent an angry telex to the Commission, whose line of defence is that it was only responsible for creating the political and legal framework to make the exports possible.

The first shipment of aubergines sent last month by the West Bank association of agricultural co-operatives to Marseilles, aboard an Agrexco boat, also encountered problems.

When the 40-tonne consignment arrived at its destination, it was found that 80 per cent of the high-value winter vegetable had been spoiled, through being stored on board ship at the wrong temperature.

Laura Raas adds from Amsterdam: T Port firmly denies any hint of wrongdoing but admits Palestinians will reap almost nothing from the first consignment due to an unfortunate array of circumstances.

About 85 per cent of the 1,100 tonnes of grapefruit has been sold in the Netherlands, West Germany, UK, Denmark and France, according to the director of the company in Rotterdam. Proceeds will be remitted to the Palestinian growers soon but will be marginal because costs soared amid delays, glutted market and extra transport.

"The big problem is a lack of ships and no direct links," he complained. "Clients need regularity every week in our business...not a one-off."

Delays in loading and shipping the grapefruit meant the produce arrived in Rotterdam just before Christmas and a subsequent plunge in prices, he explained.

The fruit was stored temporarily during the Christmas holidays because many shops are closed and marketing started in earnest at the beginning of January.

It had to be shipped further than originally planned – to Denmark – to find a market.

The company is responsible for chartering the transport ships. But the director noted that vessels which have traded with Arabs were blacklisted, telecommunications links were bad and Arab dockworkers were delayed by the disturbances in the occupied territories, the Israeli-imposed curfew and hot weather.

"This was just a test case to see whether the Palestinian market could be opened," he observed. He believed that the next shipment of oranges, is due around February 10 and hoped it would do better.

It is cautioned that European fruit prices remain under pressure and the Palestinian produce goes through the normal Dutch auction channels.

Tim Watson in **Brussels adds:** European Commission officials have confirmed that there had been a "commercial dispute" over 1,100 tonnes of grapefruit shipped by Palestinian producers – the first consignment of the contract with a Dutch importer.

"The price fell on the European market and they are trying to sort things out," said one expert. "As far as we know, there has not yet supplied the second consignment."

The feeling in Brussels is that the problem is a commercial matter between suppliers and importers – and that while the EC set up the infrastructure for the direct trade between the occupied territories and the Community, it would not be appropriate for the Commission to intervene.

Financial Times (01.02.1989)

Economic Sanctions

Over the last few months there has been an intensification of the policy of imposing economic sanctions of a collective nature on villages in the West Bank. The sanctions are imposed by the military authorities in official orders prohibiting the export of crops from villages. Currently, there are 23 villages under such sanctions. Under such circumstances farmers have been prohibited from leaving their houses to water their crops, and have had their water supplies cut off. Tractors and equipment have been confiscated and crops and dairy produce have been destroyed either in the fields and on the road to the market.

It was revealed last week that further sanctions are planned for the Nablus area. Israeli military authorities are calling for the collective punishment of villages that cultivate olives to be carried out by the uprooting of olive trees. Although this has not yet been carried out in the Nablus area, it is one of the most widespread methods of collective punishment used by the occupation authorities in the West Bank. With over 5,000 fig trees, Nablus is the largest fig producing area in the West Bank. The uprooting of fig trees would be a devastating blow to the economy of the area, and would hit the hardest at the small farmers who predominate south of Nablus.

The stated reason for the sanctions is the smuggling of figs and products made from figs to Jordan. It has been forbidden to export figs to Jordan since 1967, but the sanctions will be extended to include the export of olives to Jordan. The real reason for the sanctions is to punish the villages for their political activities. Israeli officials have stated that the sanctions are imposed on selective villages and towns which are centres of political activity, contrary to previous practice, when the whole West Bank would be punished for the actions of a few. The clearest example of this was the imposition of sanctions on the village of Beit Sahour during the Intifada. Beit Sahour was the first village to declare a tax revolt, and was the first village to be subjected to sanctions.

The sanctions have had a devastating effect on the economy of the villages concerned. Many families depend entirely on the export of their crops for their livelihood. Farmers have been unable to water their crops, and have had to watch helplessly as their crops have withered and died. Many families have had to sell their livestock in order to buy animal feed. Other families have opted to slaughter their animals rather than see them starve. Many families have had to borrow money in order to buy food. The economic effects of the sanctions are felt throughout the village. The fig crop was destroyed in many villages by soldiers and seen on television" and then banned. The general result is a farmer who would have had a reasonable income is now in debt. The effect of the sanctions is not only economic. Many families have resulted from the sanctions. Israeli soldiers have been stationed at the entrances to the town since August.

Tel is a village which lies 10 km from Nablus, with a population of 2,500 people. The economy is dependent on both fig and animal husbandry.

It is one of the most renowned fig growing areas in the whole of the West Bank. With over 5,000 fig trees, Tel produces many varieties including the already well-known Ashkadinia, Al-Hadi and Abu Shoukri. Although the fig season officially lasts 25-30 days, the figs are usually harvested in one season. The harvesting of the 1988 crop of figs usually lasts 25-30 days, and would be the last for farmers in the region of Nablus.

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Thirty Produce

Many families during the siege was particularly difficult for those whose livelihood depends on the way that the people of Tel cultivation, strengthening their fig trees and tending their crops. Following the imposition of the siege, Rolland Breed, in addition to 500 fig trees, owned one of the major producers of the village. Before the siege, his production of yoghurt was produced daily and sold in the village and in the surrounding areas of Al-Bireh, Ramallah and Nablus. He also had 150 laying hens which produced an average of 100 eggs daily which amounts to about 3,000 per month.

With the continuation of the siege, the animal husbandry sector has been severely affected. Animal feed is not available, the military authorities have prohibited the sale of sheep and lambs for slaughter until the 25th day of siege, and only a limited number of animals were allowed in. The full extent of these measures is not yet clear.

Prices Fall

The price of fig growing in Tel has been affected by the siege. Before the siege, farmers in the surrounding villages would come to Tel to buy figs in addition to the production of the village and its environs. Tel has also been the centre of the Nablus area for fig production. Nablus is famous for its production of figs, but do not grow figs themselves. The main supplier in Tel for example is Abdullah Abu Shoukri, a farmer whose fig is greatly cherished because of its delicate taste. The fig is a light green colour with a green/blue and reddish colour. The fig is a light green colour with a high liquid content and must be picked when ripe, as it does not ripen after it has been picked from the tree. This variety cannot be dried, and if the fig harvest cannot be stored by either drying or refrigeration, farmers have to sell their crops immediately upon ripening. The siege has meant that Tel has been a village under siege or curfew for most of the time.

Fodder

The price of fodder for the animals and reduced prices of the fig crop have affected the surrounding villages because of the dependence of the animal population of the village and its surrounding villages on fodder from Tel. Before the siege, farmers from the surrounding villages would come to Tel to buy fodder in addition to the fodder produced in the village. Now, in addition to 500 fig trees, Rolland Breed owned one of the major producers of the village. Before the siege, his production of yoghurt was produced daily and sold in the village and in the surrounding areas of Al-Bireh, Ramallah and Nablus. He also had 150 laying hens which produced an average of 100 eggs daily which amounts to about 3,000 per month.

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Tel Under Siege

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villagers in Tel explain, even these losses are not enough to pressurize them to end their protests against military occupation.

Qabatia
Qabatia is a town in the Jenin area with a population of 20-25,000 people. The economy of the town is based on agriculture and carrying, but agriculture is the mainstay of most families. Most of the town's land lies on a flat plain which is irrigated by water from the town's artesian wells. This access to water has encouraged the introduction of new irrigation techniques which has boosted yields and lengthened growing seasons for many crops. The main crops grown include tomatoes, cucumbers, squash and potatoes. One dunum of cucumbers usually yields a crop which would fetch as much as 500JD's on the market, tomatoes 600JD's and potatoes as much as 400JD's. Usually the crops would be sold in markets in the Gaza, exported to Jordan or sold in Israel through middlemen. Problems in marketing have been experienced such as when only limited quantities are allowed across the bridge to Jordan and when therefore the market has been flooded and prices dropped or as farmers have to compete with [subsidised] Israeli produce on the West Bank market.

Curfew
On the 24th of July, the military imposed a curfew on Qabatia which lasted for 22 days. During this period, it was forbidden to villagers to leave their houses. This period coincided exactly with the harvesting time of honeydew melons, cucumbers, squash, tomatoes and okra in the village. The following are just some of the repercussions that faced farmers:
* farmers were forbidden access to their land to attend to or to harvest their crops.
* any produce that people managed to pick under cover, was destroyed and or confiscated.
* artesian wells which supplied the main water reserves for irrigation especially to the western part of town, were closed.
* the wooden boxes used to collect the crops as well as transport them to markets were burned.
* military vehicles used planted fields as roads so breaking and destroying plants and crops.
* soldiers beat and hit animals used for transporting produce.
* agricultural machinery was confiscated.

Financial Losses
Losses from 400 dunums of vegetables under continuous irrigation would amount to 200,000JD's in a season, each dunum bringing approx. 500JD's income.
* 2,000 dunums of land (basil, depending on natural water supply, growing crops such as okra, tomatoes and squash would fetch 60JD's in a season so the loss is in the region of 120,000JD's.
* 1,000 dunums of grape vines, produces 60JD's worth of grapes per dunum therefore total losses would be in the region of 60,000JD's.

More Sabotage
There are 3 nurseries in the town for vegetables and 10 olive nurseries. There were many difficulties for the nurseries during the curfew as the soil dried out as it was forbidden to water the seedlings, seedlings which were ready for the market could not be taken there to be sold and filters and pumps were wrecked. Losses amounted to amounted to 1 million vegetable seedlings - about 5,000JD's. The losses in the olive nurseries were less as the olive seedlings are hardy and can withstand drier conditions.

Farmers
Fuad owns 8 dunums of yellow melons. Last year, his harvest was relatively poor and the prices on the market were low, he made only 800JD's. This year he planted the same amount of crop and the plants flourished and the yields were high. However under curfew, he could neither pick nor market his crop and by the end of the season, he had managed to salvage only half of his crop and make as little as 400JD's.
Abu Nasah, who owns 34 dunums of grape vines, had his income almost halved this year from the grape harvest as he was unable to get to his plants to spray pesticide required to protect his crop. In addition, military vehicles destroyed many of the vines by driving over the field.
Abu Yusef has 21 dunums planted with tomatoes, cucumbers and potatoes which last year boosted his income to several thousand JD's. This year he made nothing on his crop as the water supply was cut off, the artesian wells were closed up, and the plants rotted as the crops were not sprayed and a spider pest destroyed most of his plants.
There are 250 tractors in the town which may be rented out to farmers when required. In a normal season, the owners of the tractors make as much as 20JD's through renting the machine for a day. During the 22 day siege this meant that 110,000JD's income in total was lost in this way.
Qabatia has been without electricity since the 25th of February 1988, when the military authorities cut the supply. The villagers fear that the supply will not be reconnected in time to start up and work the olive presses for producing olive oil.
This short article outlines the extent of some of the losses incurred in the town during the 22 day siege. This is the third such siege on the town - in February the town was under these conditions for 47 days and in June again for 14 consecutive days, although the losses in those periods were not as substantial as those of the most recent siege.[]

FACTS (Jerusalem) n° 29
30.10 au 5.11.1988

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Beit Sahur – a quiet kind of intifada

By JOEL GREENBERG
Jerusalem Post Reporter

The town of Beit Sahur near *Bethlehem*, under curfew for more than a week, has become something of a frontline post of the Palestinian civil disobedience campaign in the West Bank.

The town's 9,000 residents have been confined to their homes since last Thursday, not because of violent disturbances, rock-throwing or petrol bomb attacks, but in response to an unprecedented act of civil disobedience: a return of Israeli-issued identification cards to protest a tax-raid by the authorities.

Early Thursday morning residents had been summoned to the local school, and served with notices to pay VAT and income tax. A lien was placed on cars of persons with outstanding debts, according to local accounts.

Close to 300 residents responded by returning their ID cards to the municipality. The return of the cards climaxed months of small-scale civil disobedience activity at Beit Sahur – an educated and politically well-organized community considered a "tough nut" by the Civil Administration.

The activity at Beit Sahur appears to have been encouraged by the local "popular committee," whose alleged members were arrested hours after the return of the ID's. They were put in administrative detention for six months. The return of the cards and a corresponding demonstration flushed out these local leaders and enabled the authorities to track them down, according to informed sources.

A typical example of what has been going on in Beit Sahur is the growing of vegetable patches in response to calls by the uprising leadership to build a home-based economy as an alternative to Israeli products. Another is the organization of an informal "civil guard" to watch over neighborhoods at night, following the resignation of Palestinian policemen.

The "victory gardens" campaign was given a boost by the establishment of a local garden shop by Dr. Jad Isaac, a Bethlehem University biology professor who apparently played a key role in the popular committee. Along with other popular committee members, Isaac was arrested late Thursday and held in the Dhahiriya detention centre. Early this week he was put in administrative detention.

Isaac's activities, and his punishment for them, are an example of a pattern of confrontation developing during the uprising, in which the authorities are fighting all forms of alternative Palestinian civil organization, even if non-violent. The policy appears to follow lines enunciated by the Coordinator of Activities in the Territories, Shmuel Goren, according to which any attempt to organize alternative Palestinian institutions as a means of severing contact with the Israeli authorities will be thwarted.

The head of the Judea and Samaria Civil Administration, Tat-Aluf Shaike Erez, recently said that that no punitive measures will be taken against "popular committees" which do not engage in or incite to violence, but the committees' activities will be watched.

Reality is apparently different, according to accounts by Isaac and his Israeli lawyer, Shlomo Lecker, of the Association for Civil Rights in Israel. They describe a series of harassments by the authorities in response to Isaac's organization of the garden shop, in which he supplied seeds to local residents. Phone lines to Isaac's home were cut, he was summoned daily to the military government offices. Soldiers stationed near his home questioned visitors, they say, and at night shined flashlights into his house to wake him.

Isaac gave in. He agreed to close the garden shop and sign a statement promising not to speak to anyone about agriculture or seeds, and not to engage in political activity.

Isaac has consistently presented himself as a non-political person, and has argued that he has no record of security offenses or run-ins with the authorities. They disagree. His arrest late Thursday, security officials say, was in response to his involvement in a violent disturbance which followed the return of ID cards to the municipality.

Isaac, *through his lawyer, says the* opposite. According to his account, he was asked by the Bethlehem military governor to help disperse hundreds of townspeople who gathered near the home of the mayor, to protest the tax raid. He said he urged them to go home, and was even attacked by some people for his efforts.

According to eyewitness accounts, troops later used tear-gas and clubs to break up the crowd.

The Civil Administration says Beit Sahur residents later took back their ID cards when they were returned by the authorities. Now the town is under curfew "to restore calm," in official jargon.

The unusually long curfew is evidence enough of how seriously the authorities view Beit Sahur's attempt at civil disobedience, and how a quiet power struggle between Palestinians and Israelis is being fought with no less intensity than are the street battles.

The Jerusalem Post
15 July 1988

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ANNEXE 7 :

Land Day focus for Palestinians

In 1975, Israeli authorities initiated a development project for the predominantly Arab area of Galilee in Israel proper. As the authorities embarked on a spate of land confiscations, to be followed by settlement activity there, it became clear that the intention was to change the demography of the area and produce a Jewish majority.

Palestinians affected by the measures and a host of supporters, Arabs and Israeli democrats alike, reacted by meeting together in Nazareth on 18 October 1975 in protest. The gathering worked on formulating a strategy to counter the Israeli plans and set up a body to deal with the problem, the Regional Land Defence Committee (RLDC).

On February 13 of the following year, the Israeli police authorities issued an order proclaiming area no:9 of the confiscated property a military zone and banning the inhabitants of Araba, Sakhnin and Dir Hana from entering it. This 20,000 dunems of arable land belonged to those villagers, as their papers proved.

The next day, February 14, the villagers held a protest demonstration. The authorities gained time by "retreating" — dividing area no : 9 into two parts, A and B. When part A had been cleared of the mines the army had planted there, villagers could return. Part B could only be entered with a permit from army command.

Some time later, work was started in part B to prepare it for Jewish settlement. The RLDC therefore called a conference, attended by that body's representatives and the Galilee and Triangle town and village councils. The conference said March 30 was to be a day of general strike, when Palestinians would protest against the confiscation of Arab land.

Faced with this serious challenge from the Arabs resident in Israel, the police warned that such a strike would provoke them to retaliate, and Yisrael King, military commander of the northern area, threatened to relieve the Arab heads of local councils of their posts. Similarly, the Histadrut (Israeli workers' federation) said it would expel any Arab member who went on strike.

In a preemptive move, Israeli police arrested the head of Araba village council and seventeen young Palestinian activists.

On March 29, Israeli police and border guards attacked a gathering in Araba village, killing one youth and arresting the men who had taken his body to hospital.

On March 30, the Arabs of Galilee and the Triangle started a general strike and took to the streets. They were attacked by Israeli military forces using armoured vehicles and in the melée five people were killed and dozens injured or arrested.

Palestinians in the West Bank and Gaza came out in support of their brothers in Israel proper. Their extensive protest activity gradually developed into what might be termed civil rebellion. Protest continued for the entire month ; repeated clashes with Israeli police and soldiers resulted in more deaths and injuries.

After so much blood had been spilt to defend the land, it was obvious that the day would become a landmark in the history of the Palestinian struggle. Every 30 March the commemoration of Land Day gives vivid expression to the integral unity of the Palestinian people whether they be in Israel proper, the occupied territories or in exile and their strong attachment to their land.

Extracted from "Jerusalem" n° 25
April 1987

Archaic laws for land confiscation

The Israeli authorities are using laws dating back to the Ottoman Empire and British mandate, while adding others more recently. The most important in this welter of differing land laws, used by the Israelis to take over land belonging to Palestinians, are :

1. The law on absentee property (1950)

This law permits the caretaker of property belonging to an absentee to take over that property. It was used by the Israeli occupation authorities to take over large amounts of land that belonged to Arabs who fled in the 1967 war. Under this law other Arab landlords have been divested of their property while visiting neighbouring countries. Personal belongings have also been confiscated.

2. Article 125 of the 1945 Emergency Regulations

This states that certain areas can be sealed off for military use. This regulation has been widely used by the Israeli authorities to confiscate land for settlements.

A similar law was passed in 1949, stating that the authorities had the right to evacuate whole residential areas for unlimited periods of time when that area was defined as being within the boundaries of a "security zone."

Under this law the villages of Amka, Farathi, Kfar Anan, Safori, Majdal, Kfar Beru'm, Al-Mansura, Mi'ar, Kwaikat, Al-Barma, Damon and Ruwaisat were evacuated between 1948 and 1950.

3. The 1949 law on security zones in the Emergency Regulations

These regulations were issued by the Israeli Defence Minister and are automatically renewed every year, with amendments.

Article 8 of these regulations states that the relevant authorities can order a residential area's evacuation after 14 days' notice has been given.

Under this law the inhabitants of Akrath village were ordered to leave the village for two weeks "until the end of military operations" but were never allowed back, even after they had successfully asked for a High Court ruling on July 31 1951. They appealed again to the Court and a new ruling was expected to be delivered on February 6 1952, but on January 25 of that year the Israeli authorities destroyed the village.

4. The law concerning uncultivated land in the Emergency Regulations 1949

This law authorises the Agriculture Minister to give such land to kubbutzim or moshavim. It has been used to declare land out of bounds because of military purposes and then give the land to kibbutzim as 'uncultivated' land.

5. The law concerning land seizure in times of emergency, 1949

This law enables the government to appoint an "authority" having the right to confiscate land which is "vital to the defence of the state."

6. The law concerning land possession, 1953

Under this law, land can be [illegible] to the development department if it :

a — was registered property after 1.4.1952,
b — was used for development and security purposes between 14.5.19 and 1.4.1952
c — was needed for projects mentioned in the law.

7. The law concerning the term of cultivation

Under this law, issued under the Ottoman rule, and still valid under the British mandate, land becomes the property of the person who has cultivated it for ten consecutive years. After the state of Israel was created, land had to be cultivated for fifty consecutive years before becoming the property of the cultivator.

Repeated protests from the Arab community led to the term being reduced to fifteen years only.

Mentioned in "Jerusalem" n° 25
April 1987

Al Ittihad 25 April

A DOCUMENT

Somewhere in the Occupied Territories

As a superintendent of the land which belongs to Mrs (....), the wife of Mr (....), I would like to state the accurate losses in figures associated with some detailed statements.
From the very beginning of reforming the said land in (....) district, I have been the superintendent of this land which is 357 dunums until her owner, (....), was forbidden to enter it, on the basis of military orders.
In addition, I would like to check hereunder the losses resulted in uprooting different kinds of trees planted in the land.
From my experience as an agricultural engineer, I estimate the losses as follow:

1) 986 olive plants, each costs 1 JD = 986 JD
2) 25 graft olive trees each costs 2 JD= 50 JD
3) 71 transplanted big olive trees each costs 20 JD= 1,420 JD
4) 49 different kinds of fruit trees e.c. 2 JD= 98 JD
5) 1,285 pine trees each costs 0.50 JD= 42.50 JD
6) 4 araucaria trees each costs 5 JD= 20 JD.
The total of the above mentioned trees is 3,216.50 JD.

7) In addition the delay of production for 4 years of the area of 27 dunums with an average production of 80 JD per dunum. This sums to: 80 x 4 x 27= 8,640 JD.

8) 40% of 1,200 barrels were corrupted; each costs 1.5 JD= 720 JD.

9) 150 dunums were planted with wheat where the production of every dunum amounts to 300 Kgs. Every Ton is sold for 50 JD= 2,250 JD.

10) One dunum is planted with peas= 100 JD.
11) 2,107 tomato and thyme plants, each costs 5 piastres= 105 JD.

12) The land became deserted due to the military orders and was neither planted nor cultivated for two harvest seasons. This causes the loss of 2,350 JD= 2,350 x 2= 4,700 JD.

13) 308 working days for 44 laborers, each worked for 7 days. The amount is 308 x 7= 2,156 JD.

14) The loss of the water haul from the well in the land for two years.
The cubic meter costs 12 piastres. The size of the well is 400 cubic meters. The amount reads as 400 x 2 x 12= 96 JD.

15) From what is listed above, the total losses are:

1) 3,216 JD : corruption and uprooting of all planted trees.
2) 8,640 JD : delay of production.
3) 770 JD : cost of barrels.
4) 2,250 JD : corruption of 150 dunums planted with wheat.
5) 100 JD : a dunum planted with peas.
6) 4,700 JD : land became deserted for two years.
7) 2,156 JD : work wages.
8) 96 JD : water from the well.
9) 105 JD : tomato and thyme plants.

21,983 JD Total

This report was given at the request of Mrs (...).
Signature: (....), Agricultural Engineer, December 12th, 1988

Ain Hawd & "Ein Hod"

By Fiona Mckay
Human Rights Association, Nazareth, Israel.

Several kilometers out of the port of Haifa on the main road leading south is the turning to the village of Ein Hod, the "artists' village", set in a beautiful environment of pine forests, with its picturesque old stone houses, original olive press and several art galleries and craft workshops. A conductive atmosphere, one might think, for creativity and tranquility and an attitude of live and let live.

But behind the facades lies a state of affairs which forces the former inhabitants and rightful owners of these houses to live 3 kms down the road in a "new" village, now over 40 years old, which its inhabitants call Ain Hawd, whose existence is not recognized by the Israeli government and whose inhabitants are constantly under threat of being homeless for a second time.

For the "artists' village" of Ein Hod was formerly the Arab village of Ain Hawd. In the upheavals of the 1948 war the Palestinians inhabitants of Ain Hawd, whose ancestors had lived proudly in the village for hundred of years, were brutally forced to flee their homes along with 775,000 others in what became the State of Israel. While some of the villagers went to Jenin and others as far away as Jordan, others decided to go no further having reached a spot 3 kms away on the side of a steep incline deep in the pine forest. On a tiny fraction of the 50,000 dunums (about 12,500 acres) for which they still hold the tittle deeds to this day, they settled first in tents, then in corrugated iron shelters (which can still be seen) and finally in the stone houses which they have painstakingly built over the years. Now the village consists of around 23 homes, a tiny 2 room schoolhouse and a mosque, and has a population of 125.

However since the whole of the land formerly belonging to the village had been confiscated by the Israeli government under the Absentees' property Law of 1950 (which formalized the transfer which had already taken place of the property of "absentees" - including many of those who had fled their land for other places within Israel - to a custodian) and haunted to the Jewish National Fund, the village is not recognized by the government and its very existence considered illegal. All its houses lack the required building licenses, making them eligible for demolition, and several times since 1985, government action against such "illegal" structures was stepped up, houses in the village have been ear-marked for destruction. On one occasion in 1986 only a fierce campaign involving a Knesset member and a dramatic sit-in by the villagers as bulldozers stood poised outside the village saved three houses, and today at least 2 are specifically scheduled for demolition.

Other consequences of the non-recognition of the village include the lack of basic facilities, making living conditions harsh and difficult for the inhabitants. The only access to the village is along a potholed, often steep and winding track through the forest which is not maintained, and all supplies of water, electricity, telephone, etc, from the main networks to the village are illegal, so the people rely on one means or another to obtain wholly inadequate supplies of basic amenities.

Following their experience in 1986, the people of Ain Hawd started to look further afield and found that there were numerous other villages with varying histories, but all with the same problems stemming from the fact that they were not officially recognized by the Israeli government. In January 1988 the Association of 40 Arab villages was formed to try to draw attention to the status of such villages and co-ordinate efforts to challenge this. Their stated aims are to pressurize the government for the preparation of a national zoning plan incorporating their villages, and they are working on local plans, in order to obtain recognition for the villages and building permits for their houses. In the shorter term they

work to save houses from demolition when necessary and to improve living conditions for their communities.

What are the objections to legalizing these villages and allowing the inhabitants their basic right to decent living conditions ? In the case of Ain Hawd, the site is not on prime agricultural or industrial land, nor is it an environmental hazard or required for public purposes or, in fact, in anyone's way at all, being extremely remote and built on a steep incline which it would be difficult to use for any other purpose. Furthermore the population has been living on this spot for forty years now, and the families had owned the land for hundreds of years before this.

The answer lies elsewhere, and the government attitude must be seen in the context of its discrimination against the Palestinian communities in Israel in every field. The development and natural expansion of those communities which did survive the 1948 expulsions has been thwarted ever since then by a continued policy of confiscations of land under a variety of pretexts, and by a range of administrative and planning measures, such as a failure to allocate sufficient land for residential building and granting Arab councils for smaller budgets than their Jewish counterparts - a recent report on Arab Local Government in Israel prepared by the International Center for Peace in the Middle East stated that the average sum budgeted per capita in Arab municipal budgets is 25-30% of that in the Jewish municipal budgets.

Meanwhile the residents of Ain Hawd, although determined to continue their fight for recognition of their "new" village of 40 years, still remember who had owned which house in the "artists' village" and even to whom each stone belonged, and watch each change carefully, for instance stepping in at the last minute to rescue and rebury the bodies of their forefathers when the cemetery was bulldozed to make way for a house, a children's play area and a car park.
The government tries to erase all evidence of the previous existence of the Arab village. Nowhere is there any signpost in Arabic or any indication that this had once been and Arab village.

THE ISRAELI POLICY OF MANAGEMENT OF SOURCES OF WATER

The following are the conclusions of an important report prepared a few years ago on the problem of the right to the access to water. These conclusions were never published; we have received them from one of its authors who has authorized their publication on the condition that we do not mention their origine and the report they are part of. They are still valid and their knowledge will allow the future peace negotiators to resolve some of the problems posed by the Israeli policy of "faits accomplis" concerning the water resources.

Conclusions

The policies of Israel with regard to the management of water resources as reflected in current Israeli water legislation, are based on the following general principles and criteria:

1) State ownership of all water resources, surface and underground, and abolition of private water ownership rights.

2) Complete state control over water activities as regards allocation of water use rights, control of all utilizations and related activities such as drilling, recharging of aquifers, water conservation and recycling and re-use of .

3) Allocation of water on the basis of the principle of the most efficient and economical utilization of available water resources.

4) Overall planning of water resources and establishment of a water sharing scheme based on water transfers from one area or basin to another.

5) Special underground water control and metering or water production, supply and consumption.

6) Establishment of water use rationing or special zones or areas.

7) Financial and economic criteria to be applied in the use of water.

8) Centralized water management and administration vested with broad power to control water resources activities.

9) Users' participation in water resources management.

10) Administrative and judicial protection of rights.

Israeli policies and corresponding legislation are basically designed to make water available wherever it is needed, regardless of the political and administrative boundaries created by men, but subject to a modicum of guarantees for the holders of valid titles to the use and enjoyment of the waters in question. The principles and practices of water allocation and control which are embodied in the water legislation of Israel are quite commendable from a technical and economic point of view, for they are designed to ensure the optimum and most efficient use of the scarce water resources available in the area.

However, such principles and practices, cannot be easily reconciled with those policies and practices in effect in the Occupied Territories before 1967. As a consequence, and to the extent that they have been enforced in the Occupied Territories, the legal and institutional statu quo at the time occupation took place may have been interfered with to an appreciable extent. The changes of major consequence which seem to have been effected concern:

1) the legitimate water rights held by the water users under local legislation; and

2) the pattern of administrative water management responsibilities and water allocation, particularly with respect to the provision of water supply and sewerage services to towns and villages.

In addition, to the extent that the basic public water services in the occupied territories have been interwoven with, and made dependent on, Israel's own public water services, the former eventually will find it difficult to manage independently such essential services as water distribution for domestic, municipal, agricultural and industrial uses. It may thus become practically and politically impossible to sever the water administrations of the occupied territories from those of Israel.

Finally, it is somewhat difficult to avoid the impression that, in managing water resources in the occupied territories, the Israeli authorities act as if they were the owner/sovereign of the water resources, both surface and underground. This impression is perhaps due mostly to the quasi-unrestricted powers which the military authorities enjoy in, among others, water matters on security grounds.

If a suggestion can be made to correct these projections, water management services in the occupied territories might well be organized on the same lines as those created in Israel itself, but legally and administratively separated from Israeli water management administration. In such a case, the full participation of the responsible Arab water technicians and users ought to be insured in the governing body of the water administrations with all the necessary powers as regards policy making, planning, administration and implementation procedures of the water management. At a later stage, it might thus be possible to coordinate, if so desired, the policies and activities of the water management administrations of each single occupied territory with those of the neighbouring states.
As a result, international-regional cooperation among the states sharing the surface and groundwater basins would be facilitated.

As has been stated, it has not been possible to undertake a thorough analysis of the full text of the military legal enactments relating to water in the occupied territories. It is suggested that such a study be undertaken in order to allow a more precise study of the existing situation. In view of the physical interconnection of surface and groundwater resources in the region, it is also suggested that a technical water specialists undertake a comparative survey of the water availability, allocation and utilization in the whole area.